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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,450	01/26/2001	Holger Faulhammer	A-2573	5606

7590 09/10/2003

LERNER AND GREENBERG, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480

EXAMINER

NGUYEN, ANTHONY H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 09/771,450	Applicant(s) FAULHAMMER ET AL.	
	Examiner Anthony H Nguyen	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-18 is/are allowed.
- 6) ☒ Claim(s) 1-7, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 2, 2003 has been entered.

Claim Rejections - 35 U.S.C. § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, there is no proper antecedent basis for "the gripper system", "the transfer cylinder" (claim 11, lines 3 and 4) and "said gripper bar" (claim 12, lines 1 and 2).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2854

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 11 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Grützmacher et al. (US 5,481,971) in view of Hauck (US 5,862,757).

With respect to claims 1-4 and 11, Grützmacher et al. teaches a printing machine having substantially the structure as claimed. Grützmacher et al. teaches a plurality of mutually mechanically decoupled printing unit groups having transfer cylinders and compensation elements including a microcomputer 4, sensors 3 and drive motors 2 for compensating the speed differences and positional errors as shown in Figs. 1 and 3-5. See Grützmacher et al., col. 3 lines 56-67. Grützmacher et al. does not teach clearly the compensation element being capable of changing a position of a sheet on a cylinder. However, Hauck teaches compensation elements 24, 22a and 22b being capable of changing a position of a sheet on a cylinder 8 as shown in Figs. 1, 4a, 4b, 4c. In view of the teaching of Hauck, it would have been obvious to one of ordinary skill in the art to modify the compensation elements of Grützmacher et al. by providing the compensation elements which are capable of changing a position of a sheet as taught by Hauck for quickly changing a position of a sheet on a cylinder. With respect to claim 11, the use of a gripper system of a transfer cylinder to secure a printed sheet at one location in a printing unit is extremely conventional.

With respect to claims 4 and 5, Grützmacher et al. teaches a controller or a dynamic controller 4 for transferring printed sheets which includes a transputer 31 for communicating with the printing group so as to record operating parameters (Grützmacher et al., Fig. 6, col. 7 lines 3 - 41).

With respect to claims 6 and 7, the use of sensors such as the charge coupled switching elements, photo sensors electronic and electromagnetic sensors for controlling the speed and positional errors is well known in the art.

Response to Arguments

Applicant's arguments with respect to claims 1-7 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The patent to Stark et al. is cited to show other structure having obvious similarities to the claimed structure.

With respect to claim 12, this claim if properly rewritten to overcome the rejection under 35 U.S.C. § 112 and in independent form would be allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (703) 308-2869. The examiner can normally be reached daily from 9 AM to 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (703) 305-6619. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Anthony Nguyen

Anthony Nguyen

8/8/03

Patent Examiner

Technology Center 2800